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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DANIEL JOHN LUTTER,
Plaintiff,
v.
NANCY A. BERRYHILL,¹
Acting Commissioner of Social Security,
Defendant.)
Case No. 2:16-cv-01925-JAD-NJK
**DEFENDANT'S UNOPPOSED MOTION FOR
EXTENSION OF TIME (FIRST REQUEST)**

IT IS HEREBY STIPULATED, by and between Daniel John Lutter (Plaintiff) and Nancy A. Berryhill, Acting Commissioner of Social Security (Defendant), by and through their respective counsel of record, that Defendant shall have an extension of time of fourteen (14) days to file her response to Plaintiff's opening brief. The current due date is February 2, 2017. The new due date will be February 16, 2017.

This is the first extension of time requested by Defendant in the above-captioned matter. Defendant requests this extension because the attorney responsible for briefing this case has suffered

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

an unexpected health issue. This request is made in good faith with no intention to unduly delay the proceedings. Counsel for Defendant conferred with Plaintiff's counsel, Cyrus Safa, who has no opposition to this motion, on January 30, 2017.

It is therefore respectfully requested that Defendant be granted a fourteen (14) day extension of time to respond to Plaintiff's motion, up to and including February 16, 2017.

Dated: January 30, 2017.

Respectfully submitted

DANIEL G. BOGDEN
United States Attorney
BLAINE T. WELSH
Chief, Civil Division

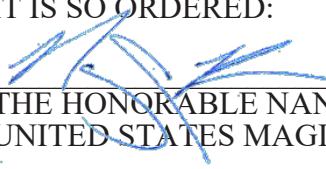
/s/ *Jennifer Lee Tarn*
JENNIFER LEE TARN
Special Assistant United States Attorney

OF COUNSEL:

GINA TOMASELLI
Assistant Regional Counsel

DEBORAH LEE STACHEL
Regional Chief Counsel, Region IX

IT IS SO ORDERED:


THE HONORABLE NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE

DATE: January 31, 2017